

AMENDMENTS TO THE DRAWINGS

The attached two (2) sheets of replacement drawings include changes to Figures 2 and 3. Replacement Sheet 2, which includes Figure 2, replaces the previous sheet 2 containing Figure 2. Replacement Sheet 4, which includes Figure 4, replaces the previous sheet 4 containing Figure 3.

Attachments: Replacement Sheets 2 and 4
Two (2) Annotated Sheets Showing Changes

REMARKS

This paper is presented in response to the Office Action. No claims are canceled, amended, or added by this paper. Claim 8 was canceled in a previous paper. Claims 14-17 and 28-37 have been withdrawn by the Examiner as being directed to an unelected invention. Claims 1-7, 9-13 and 18-27 remain pending.

Reconsideration of the application is respectfully requested in view of the following remarks. For the convenience and reference of the Examiner, the remarks of the Applicant are presented in the order in which the corresponding issues were raised in the Office Action.

I. General Considerations

Applicant notes that the remarks, or a lack of remarks, set forth herein are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicant: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case. Applicant reserves the right to challenge the purported teaching and prior art status of the cited references at any appropriate time.

II. Objection to the Drawings

1. The Examiner has objected to the drawings as failing to include the reference signs "200" and "210." In view of the replacement drawings submitted herewith, the objection has been overcome and should be withdrawn.

2. The Examiner has objected to the drawings on various other grounds as well.

a. Regarding Figure 1, the Examiner has stated "Elements shown by reference numerals 204 are not consistent." However, Applicant is unclear as to the meaning of this statement by the Examiner, and Applicant respectfully requests that the Examiner specifically identify what the purported deficiencies of Figure 1 are believed to be.

b. With respect to Figure 2, the Examiner has stated "The contact 108 is not shown in contact with electrical contacts 204C. It shows contacting the insulator 204D." In view of the replacement drawings submitted herewith, the objection has been overcome and should be withdrawn.

c. In connection with Figures 2A and 3A, the Examiner has stated "There are two elements in rightmost portion shown with different hatching. It is not clear if both of these are parts of the elbow fitting." Applicant disagrees and submits that the relation of the

aforementioned can be readily determined with reference to the specification. For example, the specification plainly refers to "... an interface portion 312 of the 90 degree elbow fitting 308," and to "terminal element 302." *Paragraph 0037. Emphasis added.* The specification further refers to "... a joint 314 ... cooperatively defined by the fitting 308 ... and the terminal element 302." *Id. Emphasis added.* Contrary to the assertion of the Examiner then, it is quite clear from the specification that "interface portion 312" is part of the "fitting 308," while the "terminal element 302" is not. Accordingly, no modifications are required to Figures 2A and 3A in this regard.

d. With regard to Figure 3, the Examiner has stated that "... '308' should be changed to '408'..." In view of the replacement drawings submitted herewith, the objection has been overcome and should be withdrawn.

III. Objection to the Specification

The Examiner has objected to the specification, stating "... Page 13, line 18: '200' should be changed to -300-." In view of the amendment herein to the specification, the objection has been overcome and should be withdrawn.

The Examiner has also objected to the title of the invention as purportedly lacking descriptiveness, and has stated that "A new title is required that is clearly indicative of the invention to which the claims are directed." Applicant disagrees. Independent claims 1, 6, 13 and 24 are all directed to a "cable assembly." Similarly, the title of the application is "HIGH VOLTAGE CABLE ASSEMBLY WITH ARC PROTECTION." *Emphasis added.* Applicant thus submits that the current title clearly indicates the invention to which the claims are directed and, accordingly, Applicant respectfully declines to amend the title of the application.

IV. Claim Rejections Under 35 U.S.C. § 102(b)

Applicant notes that a claim is anticipated under 35 U.S.C. § 102(a), (b), or (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Further, the identical invention must be shown in as complete detail as is contained in the claim. Finally, the elements must be arranged as required by the claim. *See MPEP § 2131.*

With particular reference now to the rejection, the Examiner has rejected claims 1-2, 4, 6, 7, 9, 11, 13, 18, 19, 21 and 23 under 35 U.S.C. § 102(b) as being anticipated by U.S. 4,737,122 to Dechelette ("Dechelette"). Applicant respectfully disagrees with the contentions of the Examiner however and submits that, for at least the reasons outlined below, the rejection of those claims should be withdrawn.

In rejecting independent claims 1, 6, 13 and 24, the Examiner relies on little more than vague assertions and generalities. By way of example, the Examiner has asserted that *Dechelette* discloses "... a metal fitting of an elbow configuration..." However, the Examiner has completely failed to identify which element(s) of *Dechelette* are purported to correspond to the claimed "fitting," nor has the Examiner demonstrated that *Dechelette* discloses that the "cable 38" is attached to any such "fitting."

As another example, the Examiner has asserted that *Dechelette* discloses "... a terminal ...". Again however, the Examiner has completely failed to identify which element(s) of *Dechelette* are purported to correspond to the claimed "terminal." In connection with the foregoing, the Examiner has further asserted that *Dechelette* discloses "... a resilient non-electrically conductive conical terminal element 12 with a first end attached to the fitting ..." However, the Examiner has failed to identify any portion of *Dechelette* as disclosing that "element 12" is "resilient." Inasmuch as the Examiner has, as noted above, failed to identify any component(s) of *Dechelette* as corresponding to the claimed terminal, it is likewise apparent that the Examiner has failed to demonstrate that the "element 12" has "a first end attached to the fitting."

The Examiner has further asserted that *Dechelette* discloses "... a joint between the terminal and fitting [residing] within a receptacle 66 ..." Again, the Examiner has failed to specifically identify which portion(s) of *Dechelette* are purported to correspond to the claimed "fitting" and "joint." In connection with the foregoing, the Examiner has also asserted that *Dechelette* discloses "an annular circular groove at the joint between the fitting and the terminal ..." However, the Examiner has, again, failed to specify which feature(s) of the *Dechelette* device are purported to correspond to the claimed "annular groove."

Finally, the Examiner has asserted that the "annular groove" purportedly disclosed in *Dechelette* serves to "... control diametrical expansion of the terminal element." This assertion however appears to be nothing more than speculation on the part of the Examiner, inasmuch as the Examiner has provided no supporting evidence whatsoever from *Dechelette*.

As the foregoing makes clear, the Examiner has made various assertions concerning the disclosure of *Dechelette* as such disclosure is purported to concern the claimed invention. In numerous instances however, the Examiner has failed to specifically identify which component(s) of the *Dechelette* device are purported to correspond to the elements of the rejected claims. Instead, the Examiner simply relies on vague assertions and leaves the Applicant to guess at the position of the Examiner with regard to the relation between the disclosure of *Dechelette* and the claims. This much, however, Applicant respectfully declines to do, at least because the burden of establishing anticipation is on the Examiner.

In view of the foregoing discussion, Applicant submits that the Examiner has not established that claims 1, 6 and 13 are anticipated by *Dechelette*, at least because the Examiner has failed to show that

each and every element as set forth in the claim is found in *Dechelette*, because the Examiner has failed to show that the identical invention is shown in *Dechelette* in as complete detail as is contained in the claims, and because the Examiner has failed to show that *Dechelette* discloses the elements arranged as required by the claims. Applicant thus respectfully submits that the rejection of independent claims 1, 6 and 13, as well as the rejection of dependent claims 2, 4, 7, 9, 11, 18, 19, 21 and 23, should be withdrawn.

V. Rejection of Claims Under 35 U.S.C. § 103(a)

Applicant respectfully notes at the outset that in order to establish a *prima facie* case of obviousness, it is the burden of the Examiner to demonstrate that three criteria are met: first, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; second, there must be a reasonable expectation of success; and third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *MPEP* § 2143.

The Examiner has rejected claims 3, 5, 10, 12, 20, 22 and 24-27 under 35 U.S.C. § 103(a) as being unpatentable over various combinations of references including, at least, *Dechelette*. Applicant respectfully disagrees.

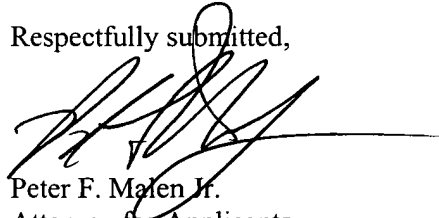
Applicant notes that the rejection of claims 3, 5, 10, 12, 20, 22 and 24-27 relies on the characterization of *Dechelette* advanced by the Examiner in connection with the rejection of claims 1-2, 4, 6, 7, 9, 11, 13, 18, 19, 21 and 23 under 35 U.S.C. § 102(b). Inasmuch as the rejection of claims 1-2, 4, 6, 7, 9, 11, 13, 18, 19, 21 and 23 lacks foundation however, for at least the reasons set forth at IV. above, Applicant submits that the rejection of claims 3, 5, 10, 12, 20, 22 and 24-27 is likewise defective. For example, as the discussion at IV. above makes clear, the Examiner has failed to establish a *prima facie* case of obviousness with respect to claims 3, 5, 10, 12, 20, 22 and 24-27 at least because the Examiner has failed to establish that the references, when combined in the purportedly obvious fashion, teach or suggest all the limitations of those claims. Applicant thus respectfully submits that the rejection of claims 3, 5, 10, 12, 20, 22 and 24-27 and should accordingly be withdrawn.

CONCLUSION

In view of the remarks submitted herein, Applicant respectfully submits that each of the pending claims 1-7, 9-13 and 18-27 is in condition for allowance. Therefore, reconsideration of the rejections is requested and allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 19th day of April, 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter F. Malen Jr.", written over a horizontal line.

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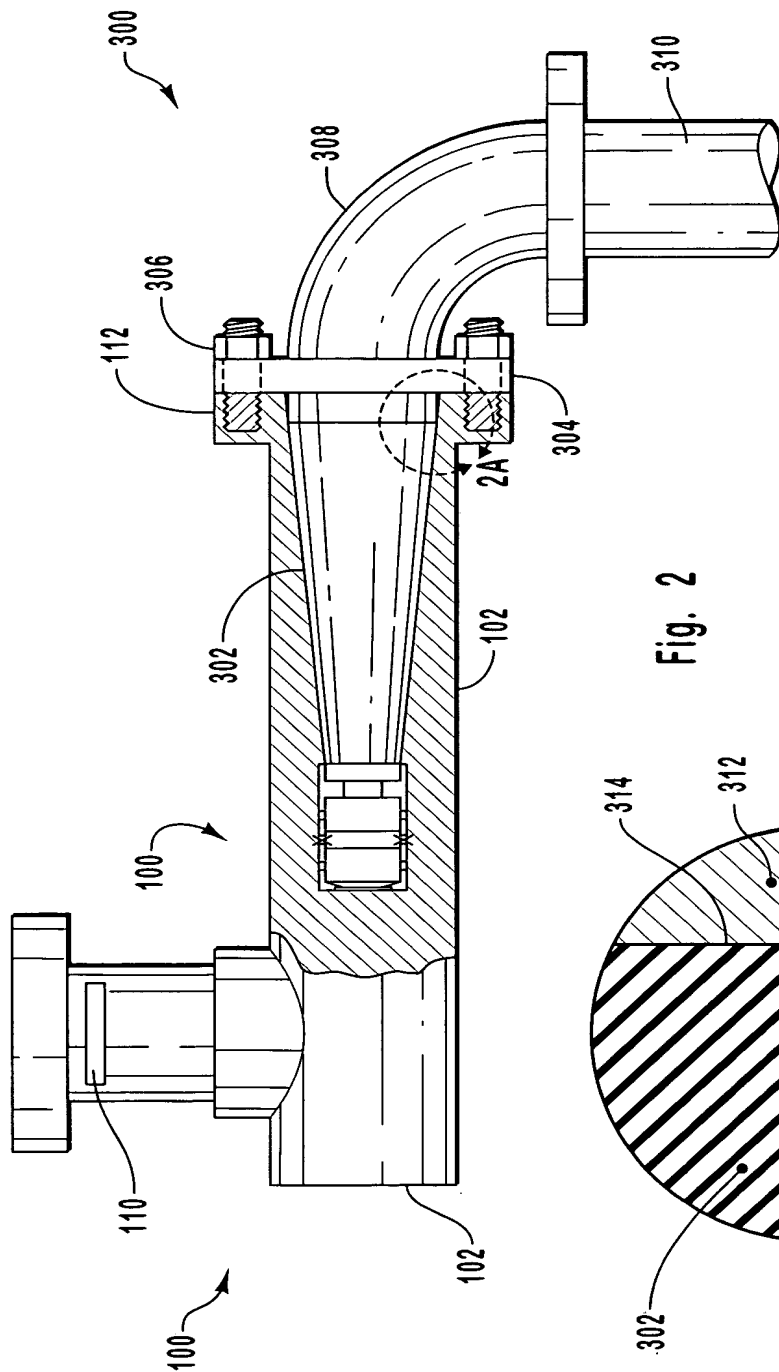


Fig. 2

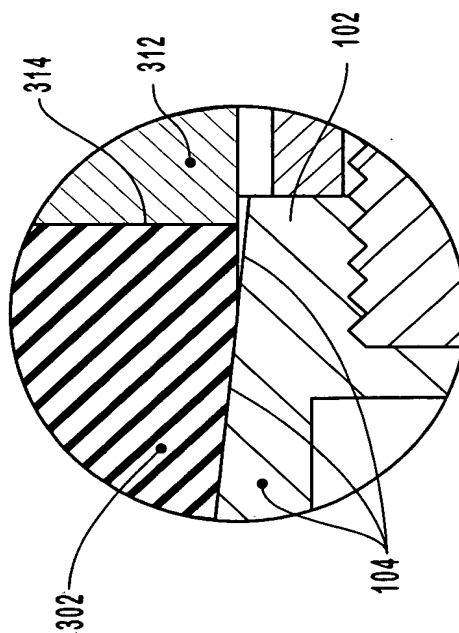


Fig. 2A

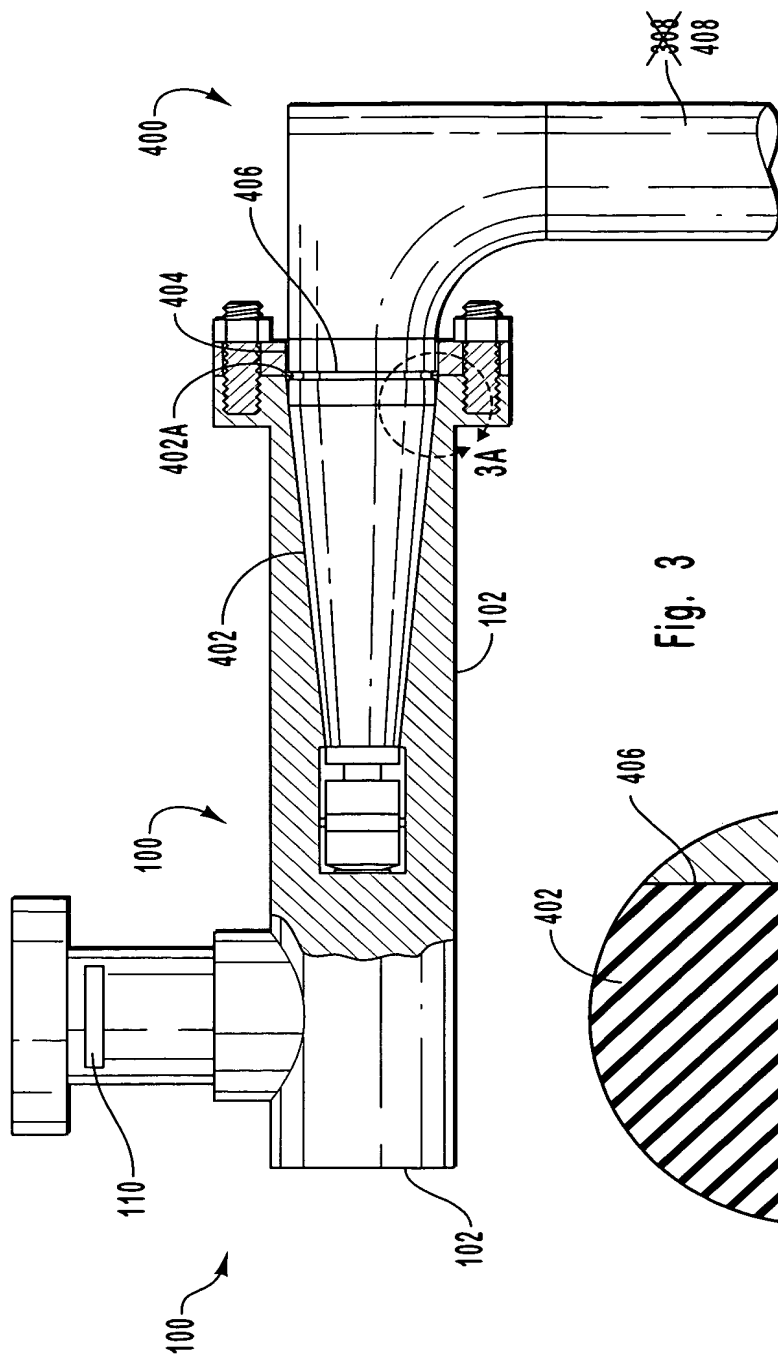


Fig. 3

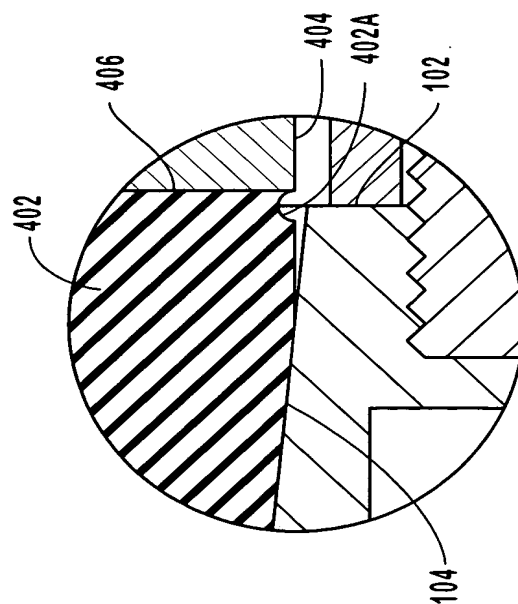


Fig. 3A